CF 142

(1)

05

Single Bench

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

M.C.C.NO. 125 /2004

(IN THE MATTER OF WP NO. 3059/2004) DECIDED ON 21.09.2004 BY THE HON'BLE COURT OF JUSTICE SHRI FAKHRUDDIN)

APPLICANT

P.R. 21/9/04
Presented by Shri Com. Reena Dubey
dated 21/9/04

Emrencia Ekka, aged about 40 years, wife of Udhisthir, Daughter of Laurance Ekka, resident of village Naveen Kunjara, Lailunga, Tah. Gharghora, Distt. Raigarh (CG)

VERSUS

NON-APPLICANTS

RECEIVED COPY
21/9/04
Clerk to A. G. Bilaspur

1. State of Chhattisgarh, through : Secretary, Department of Education,, Dau Kalyan Singh Bhawan, Raipur (Chhattisgarh)

2. The Director, Lokshikshan Sanchalnalay, DKS Bhawan, Raipur (Chhattisgarh)

3. The District Education Officer, Distt. Raigarh (CG)

4. The District Collector (Aadiwashi Vikas Vibhag), Raigaryh (CG)

5. The Dy. Director (Edu.), Raigarh, Chhattisgarh.

शपथ आयुक्त
बिलासपुर तहसील कोर्ट
21/9/04

04

6. The Assistant Commissioner (Tribal Development), Raigarh (Chhattisgarh)

REVIEW PETITION FOR MODIFICATION OF THE ORDER, AS PASSED IN WRIT PETITION NO. 3059/2004, BY THE HON'BLE COURT OF JUSTICE SHRI FAKHRUDDIN

The above named applicant / petitioner respectfully submits as

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक MCC 125/04 **सन्** 200

(12)

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	6-10-2004 On a mention being made, this case is taken up. Shri G.K. Beriwal, Counsel for the applicant. Shri V.V.S. Murthy, Dy. Advocate General with Shri Satish Gupta, Dy. Govt. Advocate for the State. Heard. This M.C.C. is filed for modification of order dated 21-9-2004 passed by this Court in W.P.No.3059/2004. Learned counsel for the applicant/petitioner submits that the applicant/petitioner was transferred from Education Department to Tribal Department and this fact could not be brought to notice of this Court. He further submits that the husband of the applicant/petitioner is posted in the same block where the applicant/petitioner is presently posted. He also submits that the writ petition bearing No.3059/2004 filed by the applicant/petitioner was disposed of by this Court vide order dated 21-9-2004 with a direction to the applicant/petitioner to make a detailed representation alongwith the copy of the said writ petition and the order before the competent authority of the respondents within ten days, which shall be considered on its own merits in	

[पीछे देखिये

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

MCC 125/04

मामला क्रमांक ..... **सन्** 200

..... **विरुद्ध** .....

(13)

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

accordance with law as early as possible preferably within six weeks from the date of the receipt of the representation.

It is further contended that the applicant/petitioner is ready to comply with the order dated 21-9-2004 passed by this Court in W.P.No.3059/2004, however, a prayer is made to the effect that till the representation is decided she may be allowed to continue on the present place of posting and may not be relieved.

Having considered the facts and circumstances of the case and the material on record, it is directed that the order dated 21-9-2004 passed in W.P.No.3059/2004 is modified to the extent that the applicant/petitioner shall not be relieved, if not already relieved, till the representation is decided. If the applicant/petitioner has already been relieved, this order will not entitle her to rejoin in the earlier place of posting.

With the aforesaid observations, this M.C.C. stands disposed of.

Certified copy as per rules.

Copy to the State counsel.

Sd/-
Fakhruddin
Judge

Gowri

[पीछे देखिये